

OFFICIAL

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Attorneys for Plaintiff  
JEANNE K. ENDO

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

APR 29 2008  
at \_\_\_\_\_ and \_\_\_\_\_ min. \_\_\_\_\_ M.  
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

JEANNE K. ENDO,	)	CIVIL NO. 03-00563 LEK
	)	
Plaintiff,	)	PLAINTIFF'S OBJECTIONS TO
	)	THIRD-PARTY DEFENDANT GARY W.
v.	)	RODRIGUES' EXHIBITS;
	)	CERTIFICATE OF SERVICE
UNITED PUBLIC WORKERS, AFSCME	)	
LOCAL 646, AFL-CIO,	)	
	)	
Defendant.	)	
5031	)	
	)	
UNITED PUBLIC WORKERS,	)	
AFSCME LOCAL 646, AFL-CIO,	)	
	)	
Third-Party Plaintiff,	)	
	)	
v.	)	
	)	
GARY W. RODRIGUES,	)	
	)	
Third-Party Defendant.	)	TRIAL DATE: May 13, 2008
	)	

**PLAINTIFF'S OBJECTIONS TO THIRD-PARTY  
DEFENDANT GARY W. RODRIGUES' EXHIBITS**

Plaintiff Jeanne K. Endo, by and through her counsel, hereby submits her Objections to Third-party Defendant Gary W. Rodrigues' Exhibits.

Plaintiff objects to Rodrigues' Exhibit No. 300, described as "Investigation Report re: Jeanne K. Endo v. UPW, et al., FEPA NO. 11259, EEOC NO. 378-A2-0018, Dated May 2002." Plaintiff contends that this exhibit constitutes hearsay, not subject to any hearsay exception. See, Fed. R.Evid. 801 to 804. Also, this "report" was prepared by Dwight Takeno, which Plaintiff contends was not a fair and impartial report, but was one-sided in favor of Rodrigues.

Plaintiff further objects to Rodrigues Exhibit No. 302, described as "Position Statement of Gary Rodrigues submitted to EEOC May 13, 2002, in response to Charge No. 378A200188." Plaintiff contends this exhibit constitutes hearsay, not subject to any hearsay exception. Fed. R.Evid. 801 to 804. Also, as this statement was Rodrigues' response to the EEOC as to Plaintiff's EEOC and HCRC complaints, it was not was not made in the form of a sworn affidavit or unsworn declaration, per 28 U.S.C. 1746.

Therefore, for the foregoing reasons, Plaintiff requests that these exhibits be excluded.

DATED: Honolulu, Hawaii, April 29, 2008.



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JEANNE K. ENDO

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FOR THE DISTRICT OF HAWAII

JEANNE K. ENDO,	)	CIVIL NO. 03-00563 LEK
	)	
Plaintiff,	)	CERTIFICATE OF SERVICE
	)	
v.	)	
	)	
UNITED PUBLIC WORKERS, AFSCME	)	
LOCAL 646, AFL-CIO,	)	
	)	
Defendant.	)	
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	)	
UNITED PUBLIC WORKERS,	)	
AFSCME LOCAL 646, AFL-CIO,	)	
	)	
Third-Party Plaintiff,	)	
	)	
v.	)	
	)	
GARY W. RODRIGUES,	)	
	)	
Third-Party Defendant.	)	
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was duly served upon the following parties at their last known address via U.S. mail, postage prepaid, on April 29, 2008:

TO: ERIC A. SEITZ, ESQ.  
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AND

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UPW, AFSCME, LOCAL 646, AFL-CIO

DATED: Honolulu, Hawaii, April 29, 2008.



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